

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 12, 2000

DIVISION ONE

B127309 People (Not for Publication)
v.
Walker

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION THREE

B133323 People (Not for Publication)
v.
Argueta

The judgment is modified to stay the term imposed as to count three, sexual penetration with a foreign object, and, as so modified, affirmed. This modification does not affect the unstayed term imposed which remains 32 years to life in state prison.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

April 12, 2000-Continued

DIVISION THREE (Continued)

B131163 People (Not for Publication)
v.
Broadkknex

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B135372 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Kathy M.

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B129989 People v. Ricky L. Brito
B132949 People v. Jose Jesus G.
B136318 People v. Luis Gonzalez
B137446 People v. Israel Valenzuela Sandoval
B135718 D.C.F.S. v. Barbara M.

DIVISION FIVE (Continued)

Each of the following (cont.):

B130672 People v. Darius Brown
B128325 People v. Nathaniel C. Dixon
B128718 Toubes v. Toubes

Argument waived, cause submitted.

B133627 Murray Plumbing and Heating
 v.
 Royal Insurance Company

Merits:

Argued by Darren Marcus Salvin for appellant and by John J. Perlstein for respondent. Cause submitted.

B133047 Stephan J. Hock
 v.
 Veronica Gordon-Hock

Merits:

Argued by Veronica Gordon-Hock, appellant in pro per, and by Steven L. Crane for respondent. Cause submitted.

B133430 Louis Posen
 v.
 Doheny Eye Institute

Merits:

Argued by Paul L. Mills for appellant and by John J. Weber for respondent. Cause submitted.

DIVISION FIVE (Continued)

B132255 People
 v.
 Stanley Durden

Merits:

Argued by Stuart Miller for appellant and by Michael J. Wise, deputy attorney general, for respondent. Cause submitted.

B123113 Gloria Drake
 v.
 Downey Neurological Center et al.

Merits:

Argued by M. Lawrence Lallande, Sr. for appellant and by Raul L. Martinez for respondents. Cause submitted.

B134974 Los Angeles County, D.C.F.S.
 v.
 Linda B.
 In re Eric B.

Appearances:

Arezo Pichavai for respondent and no appearance for appellant. Argument waived, cause submitted.

B130936 City of Long Beach
 v.
 Farmers & Merchants Bank et al.

Merits:

Argued by John Gloger for appellants and by Daniel S. Murphy for respondent. Cause submitted.

Court recessed.

April 12, 2000-Continued

DIVISION FIVE (Continued)

Court reconvened at 11:00 A.M.

Present: Grignon, Acting P.J., Armstrong, J., Godoy Perez, J. and Zaida G. Heraldez,
Deputy Clerk.

Each of the following:

B132212 People v. Oscar Gutierrez and Javier Miranda

B133873 People v. Oscar Diaz

B131197 People v. Stanley Wilson

B134686 D.C.F.S. v. David T. & Deborah T.

Argument waived, cause submitted.

B138981 Los Angeles County

v.

Orange County Superior Court

Kirsten Fox

Merits:

Argued by David J. Wilson for petitioner, Kenneth M. Stern for real party
in interest and no appearance for respondent. Cause submitted.

B138579 In re Justin G.

v.

Arlene S.

Los Angeles Superior Court

Merits:

Argued by Karen Stalter for petitioner, Ann Fragasso for respondent minor
and Kim Nemoy for real party in interest. Cause submitted.

Court adjourned.

April 12, 2000-Continued

DIVISION FIVE (Continued)

Court reconvened at 11:55 A.M.

Present: Grignon, Acting P.J., Godoy Perez, J., Weisman, J. (Assigned) and Zaida G. Heraldez, Deputy Clerk.

B139098 Porfirio Medina
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

Appearances:
John Hamilton for petitioner and by Abe Weisbrot for real party in interest.
Argument waived, cause submitted.

B138632 Darlene Butler Cobb
 v.
 Superior Court, Los Angeles County
 (Sadie Drabek et al., r.p.i.)

Merits:
Argued by Robert L. Kern for petitioner, Frederick R. Bennett for
respondent and no appearance for real party in interest.

Court recessed.

Court reconvened at 1:00 P.M.

Present: Grignon, Acting P.J., Armstrong, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B133589 People v. Adrian Casey
B129357 People v. Filomeno Garcia
B129362 Boggs v. Bakman

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B133150 James L. Tenner
v.
Susan J. Hartley

Merits:
Argued by Carol S. Boyk for appellant and by Robert E. Racine for
respondent. Cause submitted.

B125851 Cynthia H. Graves Halon
v.
Donald H. Graves

Merits:
Argued by J. Steven Kennedy for appellant and by Gerald N. Shelley for
respondent. Cause submitted.

B130625 21st Capital Corporation
v.
City of Los Angeles

Merits:
Argued by Dion J. O'Connell for appellant and Fred J. Grossblatt for
respondent.

Court adjourned.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B131396 McClure v. Crawford

Argument continued to May.

DIVISION SIX (Continued)

B129304 Fairfield
 v.
 Gantz

Merits:

Argued by Joseph W. Fairfield, appellant appearing in propria persona.
Argument waived pursuant to Rule 17(b), Calif. Rules of Court by
respondent. Cause submitted.

B130169 Olsen
 v.
 Townsend

Merits:

Argued by Joseph W. Fairfield for appellant and by Jo Ann M. Brady for
respondent. Cause submitted.

B129703 Paris
 v.
 Powell

Merits:

Argued by Lindsay F. Nielson for appellants/cross-respondents and by
Jeffrey Paris, appearing in propria persona and for respondents/cross-
appellants. Cause submitted.

B131884 Tom Courtney & Associates, Inc.
 v.
 Stonepine Investors

Merits:

Argued by Scott P. Cooper for appellant and by Mehrdad Farivar for
respondent. Cause submitted.

DIVISION SIX (Continued)

B131884 Weissmiller
 v.
 City of Long Beach

Merits:

Argued by Charles Joseph Post for appellant, by Michael J. Mais, principal deputy city attorney, for respondent City of Long Beach and by L. Allan Songstad for respondent Knob of Naples. Cause submitted.

Court recessed at 10:30 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B130768 Ashley v. Ashley

Argument continued to May.

B132058 Western Surety Co.
 v.
 Doering

Merits:

Argued by Mark A. Oertel for appellant and by Allan Scott Haley for respondent. Cause submitted.

B124467 Santa Barbara Co.
 v.
 Staben

Merits:

Argued by M. Reed Hunter for appellants and by Duff Murphy for respondent. Cause submitted.

DIVISION SIX (Continued)

B131990 Paine
 v.
 United Services Automobile Association

Merits:
Argued by Herb Fox for appellant and by Mark Israel for respondents.
Cause submitted.

B130829 Ahly
 v.
 Mankin

Merits:
Argued by Alan A. Blakeboro for appellants and by Faryan Andrew Afifi
for respondents. Cause submitted.

B123527 Pemberton
 v.
 U.S. Family Care Medical Group, Inc.

Merits:
Argued by Sharon J. Arkin for appellant and by John J. Webber for
respondents. Cause submitted.

Yegan, J., left the bench.

DIVISION SIX (Continued)

B130504 Sierra Club
v.
Santa Barbara County

Merits:

Argued by Phillip A. Seymour for appellant, by Gail Ruderman Feuer for amici curiae Natural Defense Council, et al. in support of appellant; and by Jeffrey Speich for respondent Kendall-Jackson Winery, Ltd.

Alan Seltzer, deputy county counsel, appeared for respondent Santa Barbara County and waived argument.

Counsel directed to stipulate to consolidate this matter with the appeal in 2d Civil No. B135944 - Sierra Club v. Santa Barbara County forthwith.

Court adjourned at 4:10 P.M.

DIVISION SEVEN

B123262 People
v.
Sanchez

Filed order denying petition for rehearing.

B133565 People (Not for Publication)
v.
Rubalcava

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

April 12, 2000-Continued

DIVISION SEVEN (Continued)

B135931 People (Not for Publication)
v.
Staci W., a minor

The order under review is affirmed.

Lillie, P.J.

We concur: Woods, J.
Neal, J.